

"All police officers and policemen, and all firemen, including the chief of the fire department, and all employes in the civil list covered by this act, shall be subject to removal by the board of police and fire commissioners for misconduct or failure to perform their duty under such rules and regulations as may be adopted by the said board, whenever said board shall consider or declare such removal necessary for the proper management and discipline of said department; but the chief of police or the chief of the fire department may temporarily suspend or discharge any member of his force for misconduct, or neglect of duty, or disobedience of orders; provided that any person so suspended or discharged within five days thereafter may appear before said board, and said board shall investigate the cause of said removal or discharge, and if the same is found insufficient he shall be reinstated. The board shall fix the date for the trial of such discharged or suspended officer or man of either the police or fire department within fifteen (15) days after demand for a hearing by the accused and shall give ten (10) days written notice to the accused of the date set for trial, specifying the charges upon which the accused is to be tried and the name of the person making the charges. The meetings and procedure of the board when trying such cases shall be open to the public, and said accused shall have the right of counsel, and the examination of witnesses for and against the accused shall be in the presence of the accused, and he, or his counsel, shall have the right to cross examine any witness testifying against him. The accused shall have the right to produce witnesses in his defense, and the board shall cause the witnesses of the accused to be properly subpoenaed. Meetings shall be called by the chairman upon the application of two members of the board, and written notices must be sent to all members of the board, stating the time and the place and the purpose for calling a meeting. The board shall have the power to enforce the attendance of witnesses, and the production of books and papers; and to administer oaths in the same manner and with like effect and under the same penalties as in the case of magistrates, exercising civil or criminal jurisdiction under the statutes of Iowa."

Approved April 1, A. D. 1911.

CHAPTER 34.

AMENDMENT OF FRANCHISES GRANTED TO INDIVIDUALS OR PRIVATE CORPORATIONS.

H. F. 42.

AN ACT to amend section seven hundred twenty (720) of the supplement to the code, 1907, providing for the amending of franchises granted to individuals or private corporations.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Franchises may be amended. That section seven hundred twenty (720) of the supplement to the code 1907 be and the same is hereby amended by inserting the word "amend" after the word "renew" in the ninth (9th) line of said section, and by inserting the word "amended" after the comma following the word "granted" in the tenth (10th) line of said section, and by inserting a comma after the word "amended", and by striking out the comma after the word "renewed" in the twelfth (12th) line of said section, and inserting therein the words "or amended".

SEC. 2. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and

Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 14, A. D. 1911.

I hereby certify that the foregoing act was published in the Des Moines Capital April 15, 1911, and in the Register and Leader April 18, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 35.

ACQUISITION OF HEATING PLANTS, WATER WORKS, GAS WORKS AND POWER PLANTS BY CONDEMNATION PROCEEDINGS.

S. F. 86.

AN ACT amending the law as it appears in chapter forty-five (45) of the acts of the thirty-third (33d) general assembly, entitled: "An act providing for acquiring by condemnation proceedings by cities and towns, of heating plants, water works, gas works, electric light or electric power plants, and a mode of procedure therefor, and amending section seven hundred twenty-two (722) of the supplement to the code, 1907," and relating to the same subject.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Court of condemnation. That the law as it appears in chapter forty-five (45) of the acts of the thirty-third (33d) general assembly, amending section seven hundred twenty-two (722) of the supplement to the code, 1907, be and the same is hereby amended by striking out all after the word "ordered" in line ten of section two of said chapter forty-five down to and including the word "works" in line fourteen and substituting in lieu thereof the following:

"And such court of condemnation at the time it meets to organize, as is provided in said order, or at any time during the proceeding, which may be adjourned from time to time for any purpose, may fix a time for the appearance of any person or persons which any party desires to have joined in the proceedings and which the court deems necessary, which time for appearance shall be sufficiently remote to give notice upon such parties; but if such time of appearance shall occur after any proceedings are begun they shall be reviewed by the court as it may direct to give all parties full opportunity to be heard. All persons not appearing and having any right, title, or interest in or to the property which is the subject of condemnation or any part thereof and including all leaseholders and mortgage trustees of bondholders, which are to be made parties to the proceedings shall be served with notice thereof, and the time and place of meeting of said court in the same manner and for the same length of time as the service of original notices, either by personal service or service by publication, the time so set being the time at which the parties so served are required to appear, and actual personal service of the notice within or without the state shall supersede the necessity of publication. These provisions shall also apply to condemnation proceedings which are pending, but nothing herein shall be held to invalidate any proceedings or notices served in any proceedings under chapter nine, title ten, or under the provisions of the act to which this is amendatory which have been had or taken at the time of the taking effect of this act."

SEC. 2. In effect. This act being deemed of immediate performance shall take effect and be in force from and after its passage and its publication in